



Roll Call

**CITY COUNCIL MEETING
CITY COUNCIL CHAMBERS
WALLACE J. PUCHALSKI MUNICIPAL BUILDING
212 MAIN STREET, NORTHAMPTON
Northampton, MA**

A regular meeting of the City Council was called to order by City Council President William H. Dwight. At 7:00 p.m. on a roll call the following City Councilors were present:

At-Large Councilor William H. Dwight	At-Large Councilor Ryan R. O'Donnell
Ward 1 Councilor Maureen T. Carney	Ward 2 Councilor Dennis P. Bidwell
Ward 3 Councilor James Nash	Ward 4 Councilor Gina-Louise Sciarra
Ward 5 Councilor David A. Murphy	Ward 6 Councilor Marianne L. LaBarge
Ward 7 Councilor Alisa F. Klein	

Councilor Dwight announced that tonight's meeting was not going to be able to be streamed as the NCTV website is currently not available. Tonight's meeting is still available live on the public access channel.

Public Hearing

**Public Hearing
Announced for
Pole Petition
received from
National Grid for
proposed pole
on Hinckley
Street**

Public Hearing:

Councilor Dwight made the following announcement:

A Public Hearing regarding a pole petition received from National Grid will be held on January 19, 2017 at 7:05 pm. The hearing will take place in City Council Chambers, 212 Main Street, Northampton, MA. The petition is from National Grid who is requesting to erect poles and wires upon, along, under, or across one or more public ways in the City of Northampton. The petition concerns a pole located in front of a new development to #121 Hinckley Street. The Petition # is 22975210.

The City Council will hear all persons who wish to be heard thereon.

**Recognitions
and One-Minute
Announcements
by Councilors**

Recognitions and One-Minute Announcements by Councilors

None

**Communications
and
Proclamations
From the Mayor**

**Annual City
Council and NPS
Joint Meeting
Announced**

**Human Rights
Commission
Resolution
Presentation**

Communications and Proclamations From the Mayor:

Mayor Narkewicz announced that the annual joint meeting of the City Council and the Northampton School Committee will take place on Tuesday, January 31 at 7:00 pm. At JFK Middle School in Florence. The Mayor reported that usually the event takes place on the fourth Thursday in January; however, the fourth Thursday is too close to Gov. Baker's submission of his budget. The Mayor wanted a little more time to analyze the State budget as highlights will likely be touched upon in his budget presentation.

On a different topic, Mayor Narkewicz reports that the Human Rights Commission adopted a resolution at their November 30th meeting. The resolution was communicated to various state elected officials; members of the Commission asked to come before the City Council to present the resolution.

Lori Loisel, a member of the Human Rights Commission, spoke about the resolution. Two months ago the Commission took up the resolution at the suggestion of a resident of Florence.

Human Rights
Commission
Resolution
Presentation
continued

In December the resolution was sent out by the committee. Ms. Loisel read the resolution in Council.



HUMAN RIGHTS COMMISSION
City of Northampton
210 Main Street Room 12
Northampton, MA 01060-3199
(413) 587-1249 Fax: (413) 587-1275

Human Rights Commission Resolution supporting Northampton's recommitment to
Sanctuary City status and the values of a Democratic nation

Whereas, in 2014, Mayor David J. Narkewicz adopted an Executive Order declaring Northampton a sanctuary city insofar as its police force would not "honor and enforce any detainer request from U.S. Immigration and Customs Enforcement (ICE) that is non-criminal" and also committed to city policies and procedures that "ensure the highest level of public safety while building trust between law enforcement and community residents and visitors," and that it will be "the continuing policy of the City of Northampton to assure equal, just, and fair treatment of all person who live in and visit the city;" and

Whereas, on Nov. 20, 2014, the City Council unanimously endorsed the Mayor's Executive Order with a resolution stating the city "has been, and continues to be enriched by the contributions of community members who have traveled from all points of the globe to make their homes here;" and

Whereas, the City Council on Nov. 17 endorsed a resolution declaring its commitment "to protecting this community's residents from racist, Islamophobic, anti-Semitic, misogynistic, homophobic, transphobic, anti-immigrant and anti-refugee sentiment and acts and all other targeting of residents based on their identities or perceived identities;" and

Whereas, the Northampton Human Rights Commission has thrown wholehearted support behind the city's commitment to resettle refugees through a program of the Catholic Charities; and

Whereas, the Northampton Human Rights Commission condemns bigotry in all its forms and supports civil liberties of people without regard to race, ethnicity, religion, sexual orientation, national origin, gender identity, ability, citizenship or immigration status; and

Whereas, the President-elect while campaigning repeatedly espoused beliefs and support of policies that would demean, target, discriminate against and endanger people from all of those groups and more.

Now therefore be it resolved that the Northampton Human Rights Commission stands solidly behind the Mayor in his efforts to maintain the city's status as a Sanctuary City even if it means losing federal funding; and

Be it further resolved that because the loss of said funds could endanger populations of people who are particularly vulnerable, we encourage our city leadership to make every effort to find alternate sources of money to make up for such losses; and

Be it further resolved that we implore federal leadership to not withhold federal funds that are a vital part of the safety net within our city; and

Be it further resolved that the Northampton Human Rights Commission fully agrees with the

**Human Rights
Commission
Resolution
Presentation
Continued**

City Council's statement that our city "has been, and continues to be enriched by the contributions of community members who have traveled from all points of the globe to make their homes here;" and

Be it further resolved that the Northampton Human Rights Commission articulates its commitment to welcoming any residents who feel targeted or unsafe based on their identities or perceived identities to share their experiences with the Commission so it may offer support and guidance of where to get help; and

Be it further resolved that the Northampton Human Rights Commission is guided in its work by the Universal Declaration of Human Rights adopted in 1948 by the United Nations and now hereby recommits to being a city body dedicated to education about the values and ideals espoused by that document; and

Be it further resolved that the Northampton Human Rights Commission stands behind the City Council's resolution that rejects authoritarianism and white supremacy and "redoubles its commitments to the values of freedom, justice and equality that bind us as a community and to protecting those whose security and wellbeing may be threatened in the current political and social climate."

Be it further resolved that a copy of this resolution shall be sent to President Barack Obama; U.S. President-Elect Donald Trump; U.S. Senators Elizabeth Warren and Ed Markey; U.S. Representatives Richard Neal and Jim McGovern; Massachusetts Governor Charles Baker; Massachusetts Attorney General Maura Healey; Massachusetts Senate President Stanley Rosenberg; Massachusetts State Representative Peter Kocot; the Northampton City Council and Mayor David Narkewicz.

Approved by the Northampton Human Rights Commission on this day, Nov. 30, 2016

Clerk's Note: This is not a City Council Resolution and therefore requires no vote by the City Council. It is presented here for informational purposes only.

After presenting the resolution, Ms. Loisel spoke as a citizen of Northampton and further indicated that she was not speaking for the Human Rights Commission. She explained that she read a real news story recently about a woman in Boston who started her own housecleaning business. The woman has been living in Boston for fourteen years on a work permit. Even though her ten-year old daughter is a US citizen, she is fearful about her place here. There are people like her in Northampton. The policies proposed by President-elect want to simplify people as either legal or illegal. Ms. Loisel believes that this is not how it works. Words matter. Words of hate should never go unchallenged, and as a community, Ms. Loisel believes that people need to speak out against hateful words and actions. She notes that hateful words espoused by the President-elect should never seem normal.

Councilor Dwight thanked Ms. Loisel for the resolution and noted that he is grateful for her personal statement. He agrees that people do need to speak up; if not, it gives the impression that we are consenting or allowing unconscionable words or actions.

Councilor Klein has been serving as a liaison to the Human Rights Commission. She thanked the Human Rights Commission for the resolution; Councilor Klein believes that it is well worded. Sitting with the Human Rights Commission for the past year, Councilor Klein has recognized the work of this group. They are developing a really ambitious agenda for the next year.

Councilor LaBarge thanked Ms. Loisel for the work of the Commission. In future resolutions, Councilor LaBarge would like to see people with disabilities added as part of the language.

Councilor Sciarra recognized another resolution that was part of the resolution, which was the resolution welcoming Syrian refugees. She notes that resolution had an incredibly real impact.

Councilor Bidwell reports that he recently received a call from a friend in Newburyport. There was a City Councilor in Newburyport who wanted to see Northampton's resolution as an

<u>Human Rights Commission Resolution Presentation continued</u>	<p>example, with the possibility of adopting such legislation in that community.</p> <p>Councilor Bidwell has been in touch with the Institute for Policy Studies in Washington. They are forming a network of City Councilors, Selectmen and Aldermen from around the country who are part of municipalities that declare themselves 'sanctuary cities'. They are actively forming a coalition and Councilor Bidwell reminds us that there is power in numbers.</p> <p>Councilor Klein reports that Easthampton and Amherst are also working on sanctuary city resolutions.</p> <p>Councilor Dwight notes that a letter was received by Congressman McGovern affirming and applauding the intent of the Northampton City Council resolution and reaffirming the intent of the document.</p>
<u>Resolutions</u>	<p><u>Resolutions:</u></p> <p>None</p>
<u>Presentations</u>	<p><u>Presentations:</u></p> <p>None</p>
<p><u>Consent Agenda</u></p> <p><u>Motion to approve Consent Agenda</u></p> <p><u>Motion Carried</u></p>	<p><u>Consent Agenda</u></p> <p>Councilor Klein moved to approve the Consent Agenda; Councilor LaBarge seconded the motion. The motion was approved on a voice vote of 9 Yes, 0 No.</p> <p>The following item was approved as part of the Consent Agenda:</p> <ul style="list-style-type: none"> Minutes of the December 19, 2016 City Council meeting
<p><u>Recess for Committee on Finance Meeting</u></p>	<p>At 7:20 p.m. the City Council recessed for the Committee on Finance meeting. The City Council reconvened at 7:51 p.m.</p>
<p><u>Financial Orders</u></p> <p><u>16.226 An Order to authorize expenditure of \$3,120 from Senior Services Gift Fund - 1st Reading</u></p> <p><u>Motion to approve 16.226 in 1st Reading</u></p> <p><u>Motion Carried</u></p>	<p><u>Financial Orders</u></p> <p><u>16.226 An Order to authorize expenditure of \$3,120 from Senior Services Gift Fund - 1st Reading</u></p> <p>Councilor LaBarge moved to approve the order in 1st Reading; Councilor Murphy seconded the motion. The motion was approved on a roll call vote of 9 Yes, 0 No.</p> <p><u>See minutes of January 19, 2017 for second reading.</u></p>

16.227 An Order to authorize payment of a prior year bill in the amount of \$1,379 for legal work - 1st Reading

Motion to approve 16.227 in 1st Reading

Motion Carried

16.227 An Order to authorize payment of a prior year bill in the amount of \$1,379 for legal work - 1st Reading

Councilor LaBarge moved to approve the order in 1st Reading; Councilor O'Donnell seconded the motion. The motion was approved on a roll call vote of 9 Yes, 0 No.

See minutes of January 19, 2017 for second reading.

16.216 An Order to authorize the purchase of 5.5 acres on Burts Pit Road - 2nd Reading

Motion to approve 16.216 in 2nd Reading

Motion Carried

16.216 An Order to authorize the purchase of 5.5 acres on Burts Pit Road - 2nd Reading

Councilor LaBarge moved to approve the order in 1st Reading; Councilor Klein seconded the motion. The motion was approved on a roll call vote of 9 Yes, 0 No.

The following Order passed second reading:

Upon the recommendation of the Mayor David J. Narkewicz and the Conservation Commission

16.216

An Order

To authorize the purchase of 5.5 acres on Burts Pit Road

Ordered, that

WHEREAS, the *Open Space and Recreation Plan: 2011-2018* recommends preserving open space on Burts Pit Road to preserve Northampton's only bog and rare species habitat and provide for a multiuse trail to serve the area;

WHEREAS, the City Council has already approved the purchase of 110+/- acres on Burts Pit Road, Stone Ridge Road and Overlook Drive for the purposes of habitat preservation as well as creation of affordable housing;

WHEREAS, Burt's Bog is an environmentally and historically important location that also provides opportunities for trail and habitat connections;

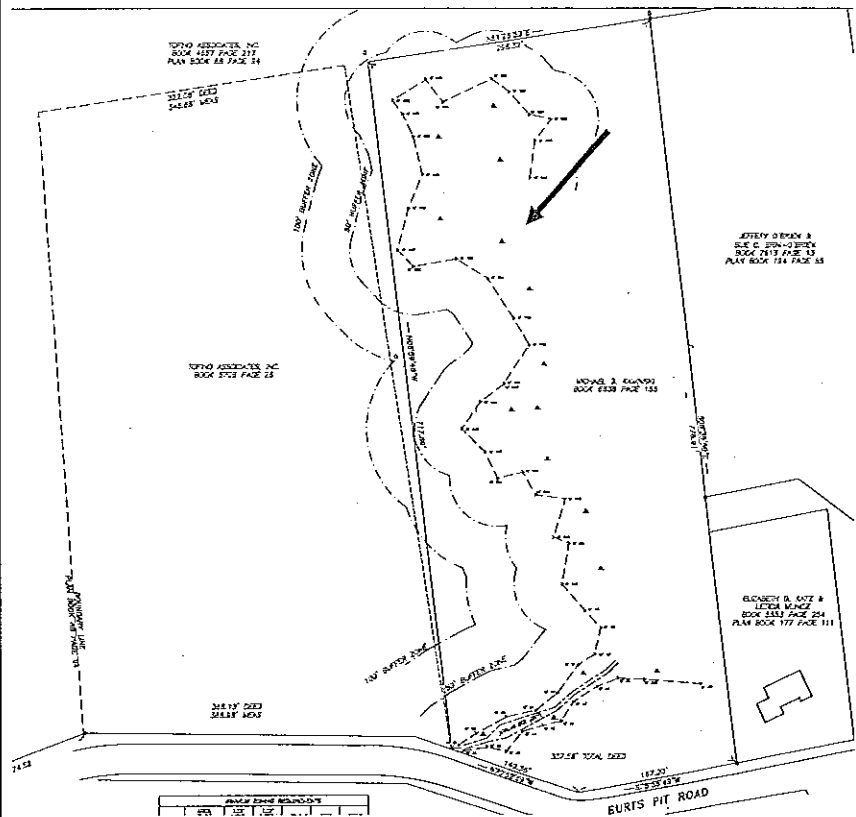
WHEREAS, Michael D. Kaminski has offered to sell 5.5 acres +/- on Burts Pit Road directly adjacent to the Burts Bog acquisition (Map 29-007) for \$110,000

WHEREAS, no general fund appropriation is requested;

NOW, THEREFORE BE IT ORDERED,

The City of Northampton, through its Conservation Commission is authorized to purchase or otherwise acquire any fee, easement, and/or any other interest in the above land for the purposes of open space preservation and creation of a multiuse recreational trail. The Mayor is authorized to grant a conservation restriction (per M.G.L. C. 184 Section 31) on said land.

16.216 Continued



16.216 Enrolled

Rules suspended, passed two readings and enrolled.

Community
Preservation
Committee
Recommendations
for Funding - 2nd
Reading

Community Preservation Committee Recommendations for Funding - 2nd Reading

Motion to
approve 16.218,
16.219, 16.220,
16.221, 16.222,
16.223, 16.224,
16.225 as a
group

Councilor LaBarge moved to approve the following orders as a group in second reading; Councilor Murphy seconded the motion. The motion was approved on a roll call vote of 8 Yes, 0 No, 1 Abstention (Councilor Murphy).

Motion Carried

The following order passed second reading:

16.218 An Order
regarding Beaver
Brook/Broad Brook
Greenway
Improvements,
Broad Brook
Coalition and Leeds
Civic Association:
\$16,947

16.218 An Order regarding Beaver Brook/Broad Brook Greenway Improvements, Broad Brook Coalition and Leeds Civic Association: \$16,947

Community
Preservation
Committee
Recommendations
for Funding - 2nd
Reading
continued

16.218 Continued

Upon the recommendation of the Community Preservation Committee

16.218

An Order

Beaver Brook/Broad Brook Greenway Improvements, Broad Brook
Coalition and Leeds Civic Association: \$16,947

Ordered, that

WHEREAS, the Broad Brook Coalition and Leeds Civic Association submitted a CPA application for rehabilitation of a six acre portion of the Beaver Brook/Broad Brook Greenway, including a wildlife blind, trails, picnic tables and habitat improvements;

WHEREAS, the project has a great deal of public support, and will increase public accessibility to a unique conservation area;

WHEREAS, CPA funds will leverage the volunteer work of members of the Broad Brook Coalition and Leeds Civic Association, two of the City's valued open space partners;

WHEREAS, on November 30, 2016, the Northampton Community Preservation Committee voted unanimously to recommend that \$16,947 in Community Preservation Act funds be used to support this project.

NOW, THEREFORE BE IT ORDERED,

That \$16,947 be appropriated from Community Preservation Act funding to the Broad Brook Coalition and Leeds Civic Association for the Beaver Brook/Broad Brook rehabilitation project. And, that the grantee meets the conditions approved by the Community Preservation Committee, the Mayor, and City Council.

Specifically, \$16,947 is appropriated from the Undesignated Fund Reserve (account #2344930-359930).

16.218 Enrolled

Rules suspended, passed two readings and enrolled.

The following order passed second reading:

16.219 An Order
regarding Burts Bog
Affordable Housing
and Open Space,
Office of Planning
and Sustainability:
\$234,700

16.219 An Order regarding Burts Bog Affordable Housing and Open Space, Office of
Planning and Sustainability: \$234,700

Upon the recommendation of the Community Preservation Committee

16.219

An Order

Burts Bog Affordable Housing and Open Space, Office of Planning and
Sustainability: \$234,700

Community
Preservation
Committee
Recommendations
for Funding - 2nd
Reading
continued

16.219 Continued

Ordered, that

WHEREAS, the Northampton Conservation Commission and Northampton Office of Planning and Sustainability submitted a CPA application for the Burt's Bog project to create three affordable homeownership lots, as well as permanently protect 120 acres of critical open space;

WHEREAS, the housing lots will be restricted to individuals and families earning 100% of area median income or below;

WHEREAS, Burt's Bog is an environmentally and historically important location that also provides opportunities for trail and habitat connections;

WHEREAS, CPA funds will be used as a match for \$256,256 in state Local Acquisitions for Natural Diversity grant funds;

WHEREAS, the project meets the goals of the Sustainable Northampton Plan, the Housing Needs Assessment, Northampton Community Preservation Plan, and Open Space, Recreation and Multiuse Trail Plan to provide affordable housing, protect open space, and provide for passive recreation;

WHEREAS, on November 30, 2016, the Northampton Community Preservation Committee voted unanimously to recommend that \$234,700 in Community Preservation Act funds be used to support this project.

NOW, THEREFORE BE IT ORDERED,

That \$234,700 be appropriated from Community Preservation Act funding to the Northampton Conservation Commission and Northampton Office of Planning and Sustainability for the Burts Bog project. And, that the grantee meets the conditions approved by the Community Preservation Committee, the Mayor, and City Council.

Specifically, \$150,000 is appropriated from the CPA Affordable Housing Reserve (account #2344930-359933), and \$84,700 is appropriated from the CPA Undesignated Fund Reserve (account #2344930-359930)

16.219 Enrolled

Rules suspended, passed two readings and enrolled.

The following order passed second reading:

16.220 An Order
regarding Broad
Brook to Beaver
Brook Acquisition,
Northampton
Conservation
Commission:
\$40,000

16.220 An Order regarding Broad Brook to Beaver Brook Acquisition, Northampton Conservation Commission: \$40,000

Upon the recommendation of the Community Preservation Committee

Community
Preservation
Committee
Recommendations
for Funding - 2nd
Reading
continued

16.220 Continued

16.220

An Order

Broad Brook to Beaver Brook Acquisition, Northampton Conservation
Commission: \$40,000

Ordered, that

WHEREAS, the Northampton Conservation Commission and Northampton Office of Planning and Sustainability submitted a CPA application for purchase of a 18-acre parcel to add to the Broad Brook Greenway.

WHEREAS, this parcel will serve as the first connection from Fitzgerald Lake west to the Beaver Brook/Broad Brook Greenway.

WHEREAS, the project meets the goals of the Sustainable Northampton Plan, Northampton Community Preservation Plan, and Open Space, Recreation and Multiuse Trail Plan to protect open space and provide for passive recreation.

WHEREAS, the parcel provides opportunities for trail connections from Haydenville Road to Fitzgerald Lake, and will increase access opportunities to the Beaver Brook/Broad Brook Greenway.

WHEREAS, on November 30, 2016, the Northampton Community Preservation Committee voted unanimously to recommend that \$40,000 in Community Preservation Act funds be used to support this project.

NOW, THEREFORE BE IT ORDERED,

That \$40,000 be appropriated from Community Preservation Act funding to the Northampton Conservation Commission and Northampton Office of Planning and Sustainability for the Broad Brook Connection project. And, that the grantee meets the conditions approved by the Community Preservation Committee, the Mayor, and City Council.

Specifically, \$40,000 is appropriated from the CPA Undesignated Reserve (account #2344930-359930).

16.220 Enrolled

Rules suspended, passed two readings and enrolled.

The following order passed second reading:

16.221 An Order
regarding
Connecticut River
Greenway
Improvements,
Northampton Office
of Planning and
Sustainability;
\$90,000

16.221 An Order regarding Connecticut River Greenway Improvements, Northampton
Office of Planning and Sustainability: \$90,000

Upon the recommendation of the Community Preservation Committee

Community
Preservation
Committee
Recommendations
for Funding - 2nd
Reading
continued

16.221 continued

16.221

An Order

Connecticut River Greenway Improvements, Northampton Office of
Planning and Sustainability: \$90,000

Ordered, that

WHEREAS, Northampton Office of Planning and Sustainability submitted a CPA application for completion of necessary paving and installation of an accessible boarding pier at the Connecticut River Greenway Riverfront Park;

WHEREAS, the project meets the goals of the Sustainable Northampton Plan, Northampton Community Preservation Plan, and Open Space, Recreation and Multiuse Trail Plan regarding continued development of a park and boathouse with riverfront access;

WHEREAS, significant public and private funds have already been invested in the site, and the project will allow more people to access the River;

WHEREAS, CPA funds will be used as the local match for a \$90,000 federal Land and Water Conservation Fund grant;

WHEREAS, CPA funds will be used first for pier accessibility and paving to match accessible sidewalk elevations, and then to complete paving on the rest of the site;

WHEREAS, on November 30, 2016, the Northampton Community Preservation Committee voted unanimously to recommend that \$90,000 in Community Preservation Act funds be used to support this project.

NOW, THEREFORE BE IT ORDERED,

That \$90,000 be appropriated from Community Preservation Act funding to the Northampton Office of Planning and Sustainability for the Connecticut River Greenway project. And, that the grantee meets the conditions approved by the Community Preservation Committee, the Mayor, and City Council.

Specifically, \$90,000 is appropriated from the CPA Undesignated Reserve (account #2344930-359930).

16.221 Enrolled

Rules suspended, passed two readings and enrolled.

The following order passed second reading:

16.222 An Order
regarding
Hampshire County
Courthouse
Restoration,
Hampshire Council
of Governments:
\$100,000

16.222 An Order regarding Hampshire County Courthouse Restoration, Hampshire
Council of Governments: \$100,000

Upon the recommendation of the Community Preservation Committee

Community
Preservation
Committee
Recommendations
for Funding - 2nd
Reading
continued

16.222 Continued

16.222

An Order

Hampshire County Courthouse Restoration, Hampshire Council of
Governments: \$100,000

Ordered, that

WHEREAS, the Hampshire Council of Governments submitted a CPA application for stabilization and preservation of the Hampshire County Courthouse;

WHEREAS, the project provides a broad public benefit to the Citizens of Northampton and the region by preserving a historically important civic building;

WHEREAS, CPA funds will only be used as a match for state Capital Bond Bill funds.

WHEREAS, on November 30, 2016, the Northampton Community Preservation Committee voted unanimously to recommend that \$100,000 in Community Preservation Act funds be used to support this project.

NOW, THEREFORE BE IT ORDERED,

That \$100,000 be appropriated from Community Preservation Act funding to the Hampshire Council of Governments for the Hampshire County Courthouse Restoration project. And, that the grantee meets the conditions approved by the Community Preservation Committee, the Mayor, and City Council.

Specifically, \$100,000 is appropriated from the CPA Historic Preservation Reserve (account #2344930-359932).

16.222 Enrolled

Rules suspended, passed two readings and enrolled.

16.223 An Order
regarding 51 Main
Street Historic
Building Study,
Smith Charities;
\$10,000 – 2nd
Reading

16.223 An Order regarding 51 Main Street Historic Building Study, Smith Charities:
\$10,000 – 2nd Reading

The following order passed second reading:

Upon the recommendation of the Community Preservation Committee

Community
Preservation
Committee
Recommendations
for Funding - 2nd
Reading
continued

16.223 Continued

16.223

An Order

51 Main Street Historic Building Study, Smith Charities: \$10,000

Ordered, that

WHEREAS, the Smith Charities submitted a CPA application for a historic building study of the Smith Charities Building at 51 Main Street;

WHEREAS, the Smith Charities have operated continuously since 1865 from the building, which was designed by noted architect William Fenno Pratt, and is located within the Downtown National Register Historic District;

WHEREAS, the study will identify the most critical needs for future restoration and rehabilitation of the building to ensure that it will remain a unique part of the downtown streetscape in the future;

WHEREAS, on November 30, 2016, the Northampton Community Preservation Committee voted unanimously to recommend that \$10,000 in Community Preservation Act funds be used to support this project.

NOW, THEREFORE BE IT ORDERED,

That \$10,000 be appropriated from Community Preservation Act funding to the Smith Charities for the Smith Charities Building historic study. And, that the grantee meets the conditions approved by the Community Preservation Committee, the Mayor, and City Council.

Specifically, \$10,000 is appropriated from the CPA Historic Preservation Reserve (account #2344930-359932).

16.223 Enrolled

Rules suspended, passed two readings and enrolled.

The following order passed second reading:

16.224 An Order
regarding Mineral
Hills Acquisition,
Northampton
Conservation
Commission:
\$240,000

16.224 An Order regarding Mineral Hills Acquisition, Northampton Conservation Commission: \$240,000

Upon the recommendation of the Community Preservation Committee

Community
Preservation
Committee
Recommendations
for Funding - 2nd
Reading
continued

16.224 Continued

16.224

An Order

Mineral Hills Acquisition, Northampton Conservation Commission, \$240,000

Ordered, that

WHEREAS, the Northampton Conservation Commission and Office of Planning & Sustainability submitted a CPA application for purchase of a 53 acre parcel in the southern Mineral Hills;

WHEREAS, this is an environmentally important location that includes a coldwater stream, and will provide opportunities for trail and habitat connections;

WHEREAS, the threat of residential development exists in an area that is not an appropriate location, resulting in lost wildlife protection opportunities;

WHEREAS, the project meets the goals of the Sustainable Northampton Plan, Northampton Community Preservation Plan, and Open Space, Recreation and Multiuse Trail Plan to protect open space and provide for passive recreation, and will also create affordable housing opportunities;

WHEREAS, on November 30, 2016, the Northampton Community Preservation Committee voted unanimously to recommend that \$240,000 in Community Preservation Act funds be used to support this project.

NOW, THEREFORE BE IT ORDERED,

That \$240,000 be appropriated from Community Preservation Act funding to the Northampton Conservation Commission and Office of Planning and Sustainability for the Mineral Hills to Barnes Aquifer Open Space Acquisition Project. And, that the grantee meets the conditions approved by the Community Preservation Committee, the Mayor, and City Council.

Specifically, \$150,000 is appropriated from the CPA Open Space Reserve (account #2344930-359931), and \$90,000 is appropriated from the CPA Undesignated Reserve (account #2344930-359930).

16.224 Enrolled

Rules suspended, passed two readings and enrolled.

16.225 An Order
regarding
Conservation Fund,
Northampton
Conservation
Commission:
\$80,000

The following order passed second reading:

16.225 An Order regarding Conservation Fund, Northampton Conservation Commission: \$80,000

Upon the recommendation of the Community Preservation Committee

16.225

An Order

Conservation Fund, Northampton Conservation Commission: \$80,000

Community
Preservation
Committee
Recommendations
for Funding - 2nd
Reading
continued

16.225 Continued

Ordered, that

WHEREAS, the Northampton Conservation Commission submitted an application for Community Preservation Act funding for the Conservation Fund.

WHEREAS, the fund makes possible increased acquisition or protection of open space parcels in Northampton by supporting fast action on time-sensitive real estate opportunities.

WHEREAS, the project may leverage additional public and/or private funds

WHEREAS, the project meets the goals of the Northampton Sustainability Plan for protection of open space and agricultural lands.

WHEREAS, the applicant has used these funds effectively in the past towards the protection of several hundred acres of open space, reflecting the goals established by the Community Preservation Committee.

WHEREAS, all land purchases will be reviewed and approved by the Conservation Commission and the City Council.

WHEREAS, on November 30, 2016, the Northampton Community Preservation Committee, voted unanimously to recommend that \$80,000 in Community Preservation Act funds be used to support this project.

NOW, THEREFORE BE IT ORDERED,

That \$80,000 be appropriated from Community Preservation Act funding to the Northampton Conservation Fund. And, that the grantee meets the conditions approved by the Community Preservation Committee, the Mayor, and City Council.

Specifically, \$80,000 is allocated from the CPA Undesignated Reserve (account #2344930-359930)

16.225 Enrolled

Rules suspended, passed two readings and enrolled.

Orders

16.228 An Order
to declare
surplus space at
NHS for the
purpose of
leasing to public
access television
- 1st Reading

Motion to
approve 16.228
in 1st Reading

Motion Carried

Orders

16.228 An Order to declare surplus space at NHS for the purpose of leasing to public access television - 1st Reading

Councilor LaBarge moved to approve the order in 1st Reading; Councilor O'Donnell seconded the motion. The motion was approved on a roll call vote of 9 Yes, 0 No.

See minutes of January 19, 2017 for second reading.

16.229 An Order to authorize a five-year contract for ticket processing services - 1st Reading

Motion to approve 16.229 in 1st Reading

Motion Carried

16.229 An Order to authorize a five-year contract for ticket processing services - 1st Reading

Councilor LaBarge moved to approve the order in 1st Reading; Councilor Murphy seconded the motion. The motion was approved on a roll call vote of 9 Yes, 0 No.

See minutes of January 19, 2017 for second reading.

16.230 An Order to accept a storm drain easement on Holyoke Street - 1st Reading

Motion to approve 16.230 in 1st Reading

Motion Carried

16.230 An Order to accept a storm drain easement on Holyoke Street - 1st Reading

Councilor O'Donnell moved to approve the order in 1st Reading; Councilor LaBarge seconded the motion. The motion was approved on a roll call vote of 8 Yes, 0 No, 1 Abstention (Councilor Murphy).

See minutes of January 19, 2017 for second reading.

17.231 An Order To authorize the Mayor to acquire by gift one or more public right of way easements on the Sturbridge Development LLC property - 1st Reading

Motion to approve 17.231 in 1st Reading

Motion Carried

17.231 An Order To authorize the Mayor to acquire by gift one or more public right of way easements on the Sturbridge Development LLC property - 1st Reading

Councilor LaBarge moved to approve the order in 1st Reading; Councilor O'Donnell seconded the motion. The motion was approved on a roll call vote of 9 Yes, 0 No.

See minutes of January 19, 2017 for second reading.

17.232 An Order to modify City Council Rules - Requires only one reading

Motion to approve 17.232 in 1st Reading

17.232 An Order to modify City Council Rules - Requires only one reading

Councilor Klein moved to approve the order in first reading; Councilor O'Donnell seconded the motion.

17.232
Continued

Motion to refer to
Committee

Councilor Murphy moved to refer the item to the Committee on Legislative Matters; Councilor LaBarge seconded the motion. The motion was approved on a voice vote of 9 Yes, 0 No.

Motion Carried

Councilor O'Donnell noted that the order to amend the rules deals with the process of referral to Legislative Matters. In a sense the changes are superficial and cause the order to reflect what was previously in the language of the council rules. He suggests that the Council could debate the rules tonight.

Councilor Murphy explained that the recent changes made to the Council's rules have received a lot of public attention. He would like to add a little more due process and notes that the item has been placed preemptively on the committee's agenda for Monday, January 9.

Councilor LaBarge explained that she has received calls about the proposed changes and notes that there are great concerns. She would like to see the order go to the Committee on Legislative Matters for review. She would like to have the people come in and this would allow for transparency.

Councilor O'Donnell stated that while he suggested that the order need not be referred, he doesn't oppose referring it. He would like to have the order reviewed tonight so that it was clear what changes were being proposed. Councilor Bidwell asked for an explanation and context of the changes.

Councilor O'Donnell explained that the order switches back to previous convention that matters would not originate in committees. When certain rule changes were made, committees had the power to bring matters up and put things forward without things being referred to them by City Council. The value, in Councilor O'Donnell's opinion, was that of initiative. City Council committees were given the opportunity to have something to do besides acting as receptacles for things that were submitted to them. In reaction to concerns raised, Councilor O'Donnell is now attempting to switch back to the former language of the order. The order before Council tonight stipulates that a referral would be required of all ordinances before the Legislative Matters committee acted upon them. He notes that a referral by itself does not guarantee transparency. Transparency is given when things are posted on an agenda in advance allowing people to know and comment about it and to give ample time for debate. If people think that a referral creates the appearance of due process, Councilor O'Donnell feels that this is important as well.

Councilor LaBarge states that people have issues with the new language in the proposed order. In addition to the changes described by Councilor O'Donnell, people are uncomfortable with other language in the order, especially in section 2.6.1.4.1. People feel that ordinances should be reviewed for legal form and character. Councilor LaBarge believes that what has caused the problem has to do with the due process with the stormwater utility fee. If the order goes to Legislative Matters, people can come and talk about what their concerns are.

Councilor O'Donnell stated that he does not oppose referring the order to committee. He notes that the rules do ask the solicitor to review ordinances for form and character; this is called out in a separate part of the rules.

Councilor Dwight notes that there are not a lot of phone calls about this, but there is a group of people who have expressed a concern. They will likely show up at Legislative Matters in order to have a more expansive conversation about this. He notes that these are the City Council's rules by which the Council governs itself. As such, the Council is setting up conditions for itself with the intent to create and extend transparency and access. The only reason Councilor Dwight would vote to send this to committee is to allow citizens who have expressed an interest to at least be apprised about what the intent, purpose and effect of the changes would be.

17.232 Continued

Councilor Murphy states that as Chair of the Legislative Matters committee, he speaks with the City Solicitor about items on the agenda to be sure Attorney Seewald has reviewed everything and is comfortable moving forward with the items. This also allows him the opportunity to know whether things on the agenda require the Solicitor's attendance or not.

Councilor Bidwell asked as a practical matter, would this mean that nothing would be taken up by Legislative Matters without having been referred by City Council? Councilor Dwight explained that items would have to be referred to the committee by City Council. Councilor Bidwell recognizes scheduling concerns posed by first having items come through Council; however as a newcomer on the Council, he finds it helpful that the Council's agenda serves as a gate keeping function.

Councilor Dwight notes that the other thing that is being worked on is a way to track the lifespan of a bill.

Councilor Murphy explained that he received feedback today as well. The point that was made was that the Council agenda is closely watched. If there is something of interest that goes out from City Council to committee, then someone can attend the committee meetings where people can talk longer than the three minutes allowed during public comment in a City Council meeting. When it comes back to the City Council floor, the public comments have been heard by at least the committee members. If it comes from a committee and the public doesn't know it is there, it comes back to City Council ready to be voted on. At committee there is give and take; at Council the public has only three minutes to speak without give and take.

Councilor Sciarra notes that no one has contacted her about the changes. She points out that this is reverting back to what has always been done and that Legislative Matters has never been bypassed in any way. Also, in section 5.2.5 there is a spelling error "mater" should be "matter".

The Committee on Legislative Matters will take up the order on Monday, January 9, 2017.

Ordinances

17.233 An Ordinance Relative to School Zones - Refer to Transportation and Parking Commission and the Committee on Legislative Matters

Motion to refer 17.233

Motion Carried

Ordinances

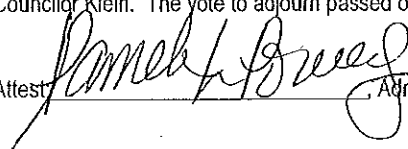
17.233 An Ordinance Relative to School Zones - Refer to Transportation and Parking Commission and the Committee on Legislative Matters

Councilor Klein moved to refer the Ordinance to the committees as noted; Councilor O'Donnell seconded the motion. The motion was approved on a voice vote of 9 Yes, 0 No.

Updates from Council President and Committee Chairs

Updates from Council President and Committee Chairs

Councilor Dwight reminded the Council that the MMA Conference is coming up later in the month. There is also a Million Women March planned on January 21st.

<u>Information Requests (Charter Provision 2-7) and Information Study Requests</u>	<u>Information Requests (Charter Provision 2-7) and Information Study Requests</u> None
<u>New Business</u>	<u>New Business:</u> None
	<p>At 8:12 p.m., a motion to adjourn was made by Councilor LaBarge and seconded by Councilor Klein. The vote to adjourn passed on a voice vote of 9 Yes, 0 No.</p> <p>Attest  , Administrative Assistant to the City Council</p>

2016 - 2017 ROLL CALL RECORD FOR NORTHAMPTON CITY COUNCIL										
Record of City Council Votes for January 5, 2017		Blidwell	Carney	Dwight	Klein	LaBarge	Murphy	Nash	O'Donnell	Sedarra
Roll Call by Pamela L. Powers, Administrative Assistant to the City Council @ 7:00 pm		Present	Present	Present	Present	Present	Present	Present	Present	Total
										9 Present, 0 Absent
16.226 An Order To Authorize Expenditure Of \$3,120 From Senior Services Gift Fund		1st Reading	Yes	Yes	Yes	Motion to approve Yes	Second Yes	Yes	Yes	Motion Carried 9 Yes, 0 No
16.227 An Order To Authorize Payment Of A Prior Year Bill In The Amount Of \$1,379 For Legal Work		1st Reading	Yes	Yes	Yes	Motion to approve Yes	Yes	Yes	Second Yes	Motion Carried 9 Yes, 0 No
16.216 An Order to authorize the purchase of 5.5 acres on Burts Pit Road		2nd Reading	Yes	Yes	Yes	Motion to approve Yes	Yes	Yes	Yes	Motion Carried 9 Yes, 0 No

Record of City Council Votes for January 5, 2017		2nd Reading	Bitwell	Carney	Dwight	Klein	LaBarge	Murphy	Nash	O'Donnell	Solarra	Total
16.218 Beaver Brook/Broad Brook Greenway Improvements, Broad Brook Coalition and Leeds Civic Association: \$16,947.			Yes	Yes	Yes	Yes	Motion to approve as a group Yes	Second Abstain	Yes	Yes	Yes	Motion Carried 8 Yes, 0 No, 1 Abstention
16.219 Burt's Bog Affordable Housing and Open Space, Office of Planning and Sustainability: \$234,700												
16.220 Broad Brook to Beaver Brook Acquisition, Northampton Conservation Commission: \$80,000												
16.221 Connecticut River Greenway Improvements, Northampton Office of Planning and Sustainability: \$90,000												
16.222 Hampshire County Courthouse Restoration, Hampshire Council of Governments: \$100,000												
16.224 Mineral Hills Acquisition, Northampton Conservation Commission: \$240,000												
16.225 Conservation Fund, Northampton Conservation Commission: \$80,000												
16.223 51 Main Street Historic Building Study, Smith Charities: \$10,000												

Record of City Council Votes for January 5, 2017		Bitwell	Carney	Dwight	Klein	LaBarge	Murphy	Nash	O'Donnell	Sciarra	Total
16.228 An Order to declare surplus space at NHS for the purpose of leasing to public access television	1st Reading	Yes	Yes	Yes	Yes	Motion to approve Yes	Yes	Yes	Second Yes	Yes	Motion Carried 9 Yes, 0 No
16.229 An Order to authorize a five-year contract for ticket processing services	1st Reading	Yes	Yes	Yes	Yes	Motion to approve Yes	Second Yes	Yes	Yes	Yes	Motion Carried 9 Yes, 0 No
16.230 An Order to accept a storm drain easement on Holyoke Street	1st Reading	Yes	Yes	Yes	Yes	Second Yes	Abstain	Yes	Motion to approve Yes	Yes	8 Yes, 0 No, 1 Abstention
17.231 An Order To authorize the Mayor to acquire by gift one or more public right of way easements on the Sturbridge Development LLC property	1st Reading	Yes	Yes	Yes	Yes	Motion to approve Yes	Yes	Yes	Second Yes	Yes	Motion Carried 9 Yes, 0 No

At 8:12 p.m. Councilor LaBarge motioned to adjourn. Councilor Klein seconded the motion. The motion was approved on a voice vote of 9 Yes, 0 No.

Recorded By: Pamela L. Powers, Administrative Assistant to the City Council (413) 587-1210 / ppowers@northamptonma.gov